

Attorney Docket # 4925-78

Serial No. 09/745,515
Amdt. dated June 11, 2004
Reply to Office Action dated March 15, 2004

REMARKS/ARGUMENTS

The Office Action mailed March 15, 2005 has been reviewed and carefully considered. In the present application, Claims 1-34 are pending, with Claims 1, 12, 24, 25, and 33 being in independent form. Reconsideration and withdrawal of the rejections in the March 15, 2004 Office Action are requested on the basis of the following remarks.

In the Office Action, the Examiner rejected independent Claims 1, 12, 25, and 33, as well as Claims 2-4, 11, 13-15, 22, 23, 26-28, 32, and 34 depending therefrom, under 35 USC §103(a) as unpatentable over *Wright et al.* (US 5,426,594) in view of *Alperovich* (US 6,175,741) and rejected independent Claim 24 under 35 USC §103(a) as unpatentable over *Wright et al.* in view of *Alperovich*, and in further view of *Cushman et al.* (US 6,125,287). The remaining dependent claims, Claims 5-10, 16-21, and 29-31, were rejected over various combinations of *Wright*, *Alperovich*, *Schroeder* (US 6,032,053), *Hoff* (US 5,054,594), and *Doe et al.* (US 5,973,612).

Each of independent Claims 1, 12, 24, 25, and 33 of the present application recite the limitation of sending a notification (or notifying message) to a party (or a predefined terminal of a party) each time a data object is activated by a mobile terminal. As a particular example (which is not intended to limit the scope of the independent claims), when a user A of a mobile terminal accesses a video clip (i.e., the data object) which is associated with party B, a notifying message is sent to a predefined mobile terminal of party B, thereby notifying party B that user A has activated the video clip associated with party B. In some embodiments of the present invention, the video object originated with party B.

In the March 15, 2004 Office Action, it is stated that:

... Alprovich [*sic*] teaches in his system and method that each time a data object is sent from one terminal to another, a notification message is activated to inform all parties of such update (C8, L.58-67) [The Examiner interprets the business card data update associated with a notification process to be equivalent to the Applicant's claim for sending a notifying message to a predefined terminal of the second party each time a data object is activated by the terminal of the first party]."

(pages 2-3, ¶1, March 15, 2004 Office Action).

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It is difficult to follow the logic of the Examiner's reasoning. How can "each time a data object is sent from one terminal to another, a notification message is activated to inform all parties of such update" be equivalent to "sending a notifying message to a predefined terminal of the second party each time a data object is activated by the terminal of the first party"?

Alperovich teaches a system in which a "sending mobile station (MS)" sends updates of business card information to each "receiving MS" which has previously received and stored such business card information. Thus, if, after user B has sent his business card information to the MS of user A, user B changes some of the data in his business card information, that data change is automatically sent to the MS of user A, so that the business card information stored in the MS of user A is appropriately changed. Furthermore, the passage in *Alperovich* cited by the Examiner (lines 58-67 of col. 8) describes an embodiment in which, when changes are made to business cards located in a centralized card file at the SMS service center, a notification message is sent to the business card applications within the mobile terminals. In short, *Alperovich* is a system for updating data files stored on mobile stations, **not** a system for notifying a specific person when one or more particular data objects are activated in a particular mobile station, as is recited in Claims 1, 12, 24, 25, and 34.

Alperovich neither teaches nor suggests sending a notification each time a data object is activated by a specific mobile terminal, as is recited by independent Claims 1, 12, 24, 25, and 33 of the present application. *Alperovich* describes sending updates to data objects stored on mobile terminals when the 'master' data object stored on the "sending MS" (or the master card file in the SMS service center) is changed. As stated in the April 15, 2004 Office Action, *Wright et al.* also "fails to disclose that a notifying message [is] sent substantially instantly to at least a predefined terminal of the second party each time said data object is activated by the terminal of the first" (page 2, ¶1, April 15, 2004 Office Action). Thus, the combination of *Alperovich* and *Wright et al.* neither teaches nor suggests sending a notification each time a data object is activated by a specific mobile terminal, as is recited by independent Claims 1, 12, 24, 25, and 33 of the present application. Because of this, the withdrawal of the rejection of Claims 1, 12, 24, 25, and 33 is respectfully requested.

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Furthermore, since it is believed that the inventions claimed in Claims 1, 12, 24, 25, and 33 are patentable over all the cited prior art, it is also believed that independent Claims 1, 12, 24, 25, and 33 are in condition for allowance, which is respectfully requested. Similarly, since Claims 2-11, 13-23, 26-32, and 34 depend from independent Claims 1, 12, 24, 25, and 34, it is also believed that Claims 2-11, 13-23, 26-32, and 34 are in condition for allowance.

In light of the foregoing remarks, allowance of all pending claims is respectfully requested.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By


Teodor J. Holmberg

Reg. No. 50,140

551 Fifth Avenue, Suite 1210

New York, New York 10176

(212) 687-2770

Dated: June 11, 2004